

AN ORDINANCE

02-0-1548

BY: COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE DEPARTMENT OF PLANNING, DEVELOPMENT, AND NEIGHBORHOOD CONSERVATION (BUREAU OF NEIGHBORHOOD CONSERVATION) TO DEMOLISH AND CLEAN THE PREMISES OF VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD ON July 25, 2002

2025	Detroit Avenue, NW	03
3775	Forrest Park Road, SE	12
612	Jones Avenue, NW	03
558	Western Avenue, NW	03
562	Western Avenue, NW	03

WHEREAS, on March 16, 1987, the Council of the City of Atlanta adopted an Ordinance entitled, "The Atlanta Housing Code of 1987"; and the same was approved by the Mayor of the City of Atlanta on March 24, 1987; and

WHEREAS, on September 27, 2001, pursuant to the Atlanta Housing Code of 1987, Article III; entitled "In Rem Procedures", hearings were held after due notice to owner(s) of and/or parties in interest before the In Rem Review Board regarding certain structures believed to be unfit for occupancy or habitation and to be in violation of Article III; and

WHEREAS, September 27, 2001, The In Rem Review Board determined that the structures on the real property more fully identified hereinafter, were unfit for human occupancy or habitation and could not be improved, repaired, or altered at a cost of fifty percent (50%) or less of the value of structures, exclusive of the foundation and lots after the improvements have been made; and

WHEREAS, the In Rem Review Board did state in writing these findings of fact in support of such determination and the In Rem Review Board issued and caused to be served upon the owner(s) of and /or parties in interest, an Order requiring the owner(s) and/or parties in interest demolish such structures, clean the premises and plant grass on the lot pursuant to Section 33 (3) c of the Atlanta Housing Code; and

WHEREAS, a period of 30 days from the date of said Order was allowed for the owner(s) and/or parties in interest to comply with the Order; and

WHEREAS, the owner(s) and/or parties in interest of the properties failed to comply with the Order of the In Rem Review Board within the specified time.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:

SECTION 1: That the Mayor is authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to forthwith demolish and clean the following real property, upon which structure(s) are located:

<u>Proper Street Address</u>	<u>City Council District</u>
2025 Detroit Avenue, NW	03
3775 Forrest Park Road, SE	12
612 Jones Avenue, NW	03
558 Western Avenue, NW	03
562 Western Avenue, NW	03

SECTION 2: That the Mayor is hereby authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to perform the following specific duties at the above mentioned properties:

- (1) Vacate the structures, (if occupied).
- (2) Demolish the structures and clean the premises.
- (3) Plant grass in conformance with the Order of the In Rem Review Board
- (4) File a lien against the real property on which the structures(s) are attached
In an amount necessary to recover the costs incurred by the City of Atlanta

SECTION 3: That the Mayor is further authorized to allow the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to engage the professional services of any of the City of Atlanta's pre-qualified contractors to conduct the appropriate duties listed in **SECTION 2** of this ordinance.

SECTION 4: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

TO WHOM IT MAY CONCERN: LIS PENDENS

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Jeffery M. Dockweiler
Regions Bank

on 7-12-02 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

All that tract or parcel of land lying and being in Land Lot 32 of the 14th District,
Fulton County, Georgia and being more particularly described as follows:

Beginning at a point 68.07 feet northwest from the intersection of Western
Avenue and Maple Street; thence along the south side of Western Avenue North 89
degrees, 30 minutes, 15 seconds East a distance of 68.07 feet; thence along the west side
of Maple Street South 26 degrees, 47 minutes, 38 seconds East a distance of 110 feet;
thence South 89 degrees, 46 minutes, 22 seconds West a distance of 123.08 feet; thence
North 3 degrees, 10 minutes, 7 seconds East a distance of 98.14 feet to the point of
beginning.

being improved property as 558 and 562 Western Avenue, Atlanta, Georgia according to the present
numbering system in City of Atlanta, Fulton County, Georgia

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings,
dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This
notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as
provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such
real property.

Dated: July 12, 2002

BY:

Dale S. Haygood
Bureau of Neighborhood Conservation, Official Agent
(404) 330-6195

BY:

Bill Curtis
Assistant Real Estate City Attorney

To Mayor's Office: Greg Pridgeon
(for review & distribution to Executive Management)

Commissioner Signature [Signature] Director Signature [Signature]
From: Originating Dept. Housing Demolition Contact (name) Dale Haygood - 6195
Committee(s) of Purview: Comm. Dvlpmnt./HR Committee Deadline: August 30, 2002
Committee Meeting Date(s) Sept. 10- Oct. 1, 2002 City Council Meeting Date: Sept. 16 - Oct. 7, 2002

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BACKGROUND/PURPOSE/DISCUSSION:

Owner(s) and/or Parties in interest at above properties did not repair or demolish the structure and clean the premises in accordance with the Atlanta Housing Code of 1987.

FINANCIAL IMPACT (if any): Approximately \$ 26,000.00

(The actual calculations are not made until the property is released to the contractor. The cost for demolition is based on calculating the square footage for each structure, the quantity of debris and checking the asbestos containing materials in floor covering, pipe insulation, etc.)

OTHER DEPARTMENT(S) IMPACTED: _____

Coordinated Review With: _____

Mayor's Staff Only

Received by Mayor's Office: 8/26/02
(date)

Reviewed: [Signature]
(initials) (date)

Submitted by Council: _____
(date)

Action by Committee: ☐ Approved ☐ Adversed ☐ Held ☐ Amended
☐ Substitute ☐ Referred ☐ Other

To Mayor's Office: Greg Pridgeon
(for review & distribution to Executive Management)